

REMARKS

Claims 1-6, 25-28 and 31-36 are pending in the application, with claims 1, 2, 27 and 28 being independent. Claims 27 and 28 have been amended and claims 29 and 30 have been canceled. No new matter has been introduced.

Claims 27, 28 and 31-36 were withdrawn from consideration by the Examiner. However, claims 27 and 28 have been amended to recite that at least one of the fourth electrode, the fifth electrode and the sixth electrode comprises copper, as is also recited in claims 1 and 2. As this feature was the one that the Examiner indicated rendered claims 1 and 2 a subcombination relative to the combination of claims 27 and 28, applicant respectfully submits that claims 27, 28 and 31-36 should no longer be withdrawn from consideration.

Claims 1, 3, 5 and 23 have been rejected as being unpatentable over Suzawa (JPPAT 2001-035808) in view of Hibino (JP 2001-010685) and Ghandi (VLSI Fabrication Principles Silicon and Gallium Arsenide, pages 552-553).

Applicant requests reconsideration and withdrawal of this rejection because there would have been no motivation to combine Suzawa and Hibino in the manner set forth in the rejection. The action indicates that one of ordinary skill in the art would have been motivated to do so "in order to provide a low resistance aluminum gate electrode and to prevent erosion of the gate electrode during formation of the device" as stated by Hibino. However, there would have been no such motivation because Suzawa does not employ an aluminum gate electrode. Rather, as set forth at paragraph [0075] of the European application corresponding to Suzawa, Suzawa's gate electrode includes a laminate of a conducting layer (A) made from a conducting metallic nitride film and a conducting layer (B) made from a metallic film, where the metallic film may be formed from an element selected from the group consisting of Ta, Ti and W. Thus, since Suzawa's gate electrode does not include aluminum, there would have been no motivation to apply Hibino's techniques for improving aluminum gate electrodes to Suzawa. Accordingly, for at least this reason, the rejection should be withdrawn.

In addition, with respect to claim 3, the rejection should be withdrawn for the additional reason that neither Suzawa, Hibino nor Ghandi describes or suggests an electrode including

copper as its main component. Ghandi, which the rejection relies upon for showing this aspect of the claim, merely establishes that it may be advantageous to include copper in an aluminum film. This in no way describes or suggests replacing the aluminum film with a material including copper as its main component.

Claims 2, 4, 6 and 26 have been rejected as being unpatentable over Suzawa in view of Yudasaka (U.S. Patent No. 5,953,582), Hibino and Ghandi. Applicant requests reconsideration and withdrawal of this rejection for the reasons discussed above and because Yudasaka does not remedy the lack of motivation to combination Suzawa and Hibino, or the failure of Suzawa, Hibino and Ghandi to describe or suggest an electrode including copper as its main component.

Claims 1-6, 25 and 26 have been rejected for obviousness-type double patenting over claims 1, 3 and 7 of U.S. Patent No. 6,657,260 in view of Yudasaka and Ghandi. Applicant requests reconsideration and withdrawal of this rejection because the claims of the '260 patent, like Yudasaka and Ghandi, fail to describe or suggest an arrangement in which a gate electrode includes a laminate of fourth through sixth electrodes, as recited in each of independent claims 1 and 2.

As noted above, independent claims 27 and 28 have been amended to recite that at least one of the fourth electrode, the fifth electrode and the sixth electrode comprises copper. Accordingly, these claims, as well as their dependent claims, are believed to be allowable for the reasons set forth above.


Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$120 in payment of the one month extension fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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